

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 274
97TH GENERAL ASSEMBLY

Reported from the Committee on Veterans' Affairs and Health, April 29, 2013, with recommendation that the Senate Committee Substitute do pass.

0508S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapters 167 and 191, RSMo, by adding thereto two new sections relating to newborn screenings.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 167 and 191, RSMo, are amended by adding thereto
2 two new sections, to be known as sections 167.638 and 191.334, to read as follows:

**167.638. 1. The department of health and senior services shall
2 develop an informational brochure relating to meningococcal disease
3 that states that an immunization against meningococcal disease is
4 available. The department shall make the brochure available on its
5 website and shall notify every public institution of higher education
6 in this state of the availability of the brochure. Each public institution
7 of higher education shall provide a copy of the brochure to all students
8 and if the student is under eighteen years of age, to the student's
9 parent or guardian. Such information in the brochure shall include:**

10 **(1) The risk factors for and symptoms of meningococcal disease,
11 how it may be diagnosed, and its possible consequences if untreated;**

12 **(2) How meningococcal disease is transmitted;**

13 **(3) The latest scientific information on meningococcal disease
14 immunization and its effectiveness; and**

15 **(4) A statement that any questions or concerns regarding
16 immunization against meningococcal disease may be answered by
17 contacting the individuals's health care provider.**

**191.334. 1. This section shall be known and may be cited as
2 "Chloe's Law".**

3 **2. Effective January 1, 2014, every newborn infant born in this**

4 state shall be screened for critical congenital heart disease in
5 accordance with the provisions of this section.

6 3. Every newborn delivered on or after January 1, 2014, in an
7 ambulatory surgical center, birthing center, hospital, or home shall be
8 screened for critical congenital heart disease with pulse oximetry or in
9 another manner as directed by the department of health and senior
10 services in accordance with the American Academy of Pediatrics and
11 American Heart Association guidelines. Screening shall occur prior to
12 discharge if delivery occurs in a facility. If delivery occurs in a home
13 the individual performing the delivery shall perform the screening
14 within forty-eight hours of birth. Screening results shall be reported
15 to the parents or guardians of the newborn and the department of
16 health and senior services in a manner prescribed by the department
17 for surveillance purposes. The facility or individual shall develop and
18 implement plans to ensure that newborns with positive screens receive
19 appropriate confirmatory procedures and referral for treatment as
20 indicated.

21 4. The provisions of this section shall not apply if a parent or
22 guardian of the newborn objects to the screening on the grounds that
23 it conflicts with his or her religious tenets and practices. The parent
24 or guardian of any newborn who refuses to have the critical congenital
25 heart disease screening administered after notice of the requirement
26 for screening shall document the refusal in writing. Any refusal of
27 screening shall be reported to the department of health and senior
28 services in a manner prescribed by the department.

29 5. The department of health and senior services shall provide
30 consultation and administrative technical support to facilities and
31 persons implementing the requirements of this section including, but
32 not limited to, assistance in:

33 (1) Developing and implementing critical congenital heart
34 disease newborn screening protocols based on the American Academy
35 of Pediatrics and American Heart Association guidelines;

36 (2) Developing and training for facilities and persons on
37 implementation of protocols;

38 (3) Developing and distributing educational materials for
39 families; and

40 (4) Implementing reporting requirements.

41 **6. Any rule or portion of a rule, as that term is defined in section**
42 **536.010 that is created under the authority delegated in this section**
43 **shall become effective only if it complies with and is subject to all of**
44 **the provisions of chapter 536, and, if applicable, section 536.028. This**
45 **section and chapter 536 are nonseverable and if any of the powers**
46 **vested with the general assembly pursuant to chapter 536, to review, to**
47 **delay the effective date, or to disapprove and annul a rule are**
48 **subsequently held unconstitutional, then the grant of rulemaking**
49 **authority and any rule proposed or adopted after August 28, 2013, shall**
50 **be invalid and void.**

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